

REMARKS

Brief Telephone Interview Summaries:

Interview 1: On or about April 28, 2003 Examiner D. Chow informed Applicant, by telephone that the Examiner was going to impose a restriction requirement on Applicant's two applications serial No. 09/721,848 and 09/710,557. The Examiner communicated to Applicant a large number of patentably distinct groups of independent claims that he had identified. Applicant thanked the Examiner for the substantial investment of his time as these two applications had more than 130 claims combined. Due to the large number of claims and groups Applicant asked the Examiner for time to review the claims and the Examiner's group restrictions.

Interview 2: Applicant called the Examiner on the May 2, 2003 at 2 PM Eastern Time. After reviewing with the Examiner the Examiner's group definitions, Applicant asked if the substantial number of groups in the two separate applications were in fact all distinct groups, each group patentably distinct from the other, as if all the claims had been filed in a single application?

Examiner Chow stated that in his restriction, all of the Groups of the two applications above, are patentably distinct from each other as if they were in one patent application. In order to expedite examination of all of Applicant's applications, Applicant

asked the Examiner about application No. 09/893,292 which is a third application of Applicant's pending before the Examiner with an additional 96 claims not yet examined. The '292 claims are related to the claims for which the Examiner is imposing a restriction requirement. Applicant and the Examiner agreed to discuss the groups further after the Examiner has had a chance to look into the '292 application.

Interview 3: On May 6, 2003 during the third interview Applicant suggested inserting the claims from the '557 application into the application serial No. 09/721,848. The Examiner disagreed and stated that placing all the pending claims into application serial No. 09/893,292 would create a cleaner file history as the '292 application has not yet been examined. Applicant expressed concern that the reference US Pat. 6,001,014 (Ogata et. al.) cited and relied upon in the 5/20/2002 office action of application 09/710,557, and the reference US Pat. 6,231,444 (Goto et. al.) cited and relied upon in the 5/20/2002 office action of application 09/721,848 are important references in the file history showing the Examiner's correct understanding of the scope of the specification and claims. **The Examiner stated that if Applicant would place the claims of the '557 and '848 applications into the '292 application then the Examiner would write in the '292 file, that the references (Goto et. al. and Ogata et. al.)**

cited and relied upon in the '848 and '557 applications are equally relevant and important as if they had been equally cited and relied upon by the Examiner in the 09/893,292 file. The reliance by the Examiner on Goto and Ogata shows the Examiner's clear understanding of the scope of the inventions in the specification and claims.

Additional Interviews: Between May 6 and June 12, 2003 several brief interviews were held between the Examiner and Applicant culminating with a final telephone interview on June 12, 2003. During these interviews the Examiner further clarified to Applicant the Examiner's groupings for the restriction requirement.

Recurrent theme of interviews: During each of the above telephone interviews, Applicant requested that the Examiner should examine the claims as submitted because a restriction would entail even greater delays to the issue of Applicant's claims and also additional costs. The Examiner repeatedly asserted that because of the great diversity of the claims the Examiner had to insist on the restriction to species so that every claim would get a good examination.

Interviews conclusion: Applicant is writing this conclusion to

the interview summaries because the amount of information communicated from the Examiner to Applicant is substantial and Applicant wishes to know that he has clearly understood the details that the Examiner has communicated. Applicant understands that because of the great diversity of pending claims the Examiner is requiring a 24 way restriction. Applicant's understanding of the Examiner's restricted groups is set forth below and if the group definitions are not accurate in any way then the Examiner is requested to inform Applicant in writing of any inaccuracy so that the record will be clear regarding the definitions of the restricted groups.

Applicant's understanding of the Examiner's group definitions are as follows:

GROUP I - An image controller comprising a first two-axes member, a second two-axes member and a third two-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claims 195, 206, 212 and 215 of application serial No. 09/893,292.

GROUP II - An image controller comprising a first two-axes member and a second two-axes member. Claims of this group are represented by, but not limited to the scope of, for example,

claims 97, 99, 104 and 156 of application serial No. 09/893,292.

GROUP III - An image controller comprising a first two-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claims 135, 137, 146 and 164 of application serial No. 09/893,292.

GROUP IV - An image controller comprising a first three-axes member and a second three-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claims 138 and 162 of application serial No. 09/893,292.

GROUP V - An image controller comprising a three-axes member and a two-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claim 163 of application serial No. 09/893,292.

GROUP VI - An image controller comprising one three-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claims 140 and 147 of application serial No. 09/893,292.

GROUP VII - An image controller comprising a two-axes member,

the member moveable on a third axis producing passive tactile feedback to a user. Claims of this group are represented by, but not limited to the scope of, for example, claims 145, 160 and 161 of application serial No. 09/893,292.

GROUP VIII - An image controller comprising one two-axes member and one rotating member. Claims of this group are represented by, but not limited to the scope of, for example, claims 131 and 132 of application serial No. 09/893,292.

GROUP IX - An image controller comprising at least 12 sensors. Claims of this group are represented by, but not limited to the scope of, for example, claim 169 of application serial No. 09/893,292.

GROUP X - An image controller comprising at least 12 sensors and a two-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claims 165 and 166 of application serial No. 09/893,292.

GROUP XI - An image controller comprising at least 12 sensors and a two-axes member and a rotating member. Claims of this group are represented by, but not limited to the scope of, for example, claims 220 of application serial No. 09/893,292.

GROUP XII - An image controller comprising at least 12 sensors and a three-axes member and a rotating member. Claims of this group are represented by, but not limited to the scope of, for example, claims 222-223 and 224-230 of application serial No. 09/893,292.

GROUP XIII - An image controller comprising at least 12 sensors and a three-axes member. Claims of this group are represented by, but not limited to the scope of, for example, claim 168 of application serial No. 09/893,292.

GROUP XIV - An image controller comprising at least 12 sensors and a proportional button. Claims of this group are represented by, but not limited to the scope of, for example, claim 204 of application serial No. 09/893,292.

GROUP XV - An image controller comprising at least 12 sensors and a finger depressible proportional button and a rotating member. Claims of this group are represented by, but not limited to the scope of, for example, claim 221 of application serial No. 09/893,292.

GROUP XVI - An image controller comprising two independent depressible buttons, the first button positioned to activate a

first proportional sensor and a first On/Off switch, the second button positioned to activate a second proportional sensor and a second On/Off switch. Claims of this group are represented by, but not limited to the scope of, for example, claim 193 of application serial No. 09/893,292.

GROUP XVII - A method of interacting with an image controller comprising receiving signals. Claims of this group are represented by, but not limited to the scope of, for example, claims 196, 198 and 202 of application serial No. 09/893,292.

GROUP XVIII - A method of interacting with an image controller comprising receiving and sending signals. Claims of this group are represented by, but not limited to the scope of, for example, claims 117, 121, 126, 127 and 129 of application serial No. 09/893,292.

GROUP XIX - A method of interacting with a controller of three-dimensional imagery, comprising controlling on three axes a three-dimensional object shown by a display. Claims of this group are represented by, but not limited to the scope of, for example, claim 176 of application serial No. 09/893,292.

GROUP XX - An image controller comprising two independent

depressible buttons, the buttons rotate or pivot during depression. Claims of this group are represented by, but not limited to the scope of, for example, claims 1, 12, 48, 56, 64, 89, 95 of application serial No. 09/893,292.

GROUP XXI - A process or apparatus comprising an image controller having at least a finger depressible first variable button with break-over tactile feedback and a finger depressible second variable button with break-over tactile feedback. Claims of this group are represented by, but not limited to the scope of, for example, claims 74 and 82 of application serial No. 09/893,292.

GROUP XXII - A process or apparatus comprising an image controller having at least a finger depressible first variable button with break-over tactile feedback and a finger depressible second variable button with break-over tactile feedback and a member actuatable on at least two axes. Claims of this group are represented by, but not limited to the scope of, for example, claims 76 and 84 of application serial No. 09/893,292.

GROUP XXIII - A process or apparatus comprising an image controller having at least a finger depressible first variable button with break-over tactile feedback and a finger depressible second variable button with break-over tactile feedback and a

first member actuatable on at least two axes and a second member actuatable on at least two axes. Claims of this group are represented by, but not limited to the scope of, for example, claims 77 and 85 of application serial No. 09/893,292.

GROUP XXIV - A process or apparatus comprising an image controller having at least a finger depressible first variable button with break-over tactile feedback and a finger depressible second variable button with break-over tactile feedback and a first member actuatable on at least two axes and a second member actuatable on at least two axes and a third member actuatable on at least two axes. Claims of this group are represented by, but not limited to the scope of, for example, claims 79 and 87 of application serial No. 09/893,292.

END OF GROUP DEFINITIONS

Applicant believes no new matter has been added via this amendment but requests the Examiner to comment in writing so that the record regarding this issue is clear. Thank you.

All of the herein claims are intended to be open ended or including at least that subject matter recited and not excluding the possibility of including additional subject matter.

The Examiner is invited to please telephone Applicant regarding any matter which Applicant may be of assistance.

Phone: 530 877 3429 or 775 721 6958

Respectfully,

A handwritten signature in cursive script, appearing to read "Brad A. Armstrong".

Brad A. Armstrong

Date:

June 18, 2003